

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HENRY E. MAZUREK and PAULA NOTARI,

*Plaintiffs,*

Case No.1:07-cv-03103 (DAB) (AJP)

-- against --

**RULE 26(f) REPORT**

DAVID H. BROOKS,

*Defendant.*

**JURY TRIAL DEMANDED**

-----X  
Plaintiffs Henry E. Mazurek ("Mazurek") and Paula Notari ("Notari") (collectively referred to herein as "Plaintiffs"), by their attorneys, Judd Burstein, P.C., and Defendant David H. Brooks, by his counsel, Warner & Scheuerman, as and for their Report pursuant to Fed. R. Civ. P. 26(f), in the above-captioned matter, as well as in the consolidated litigation styled *Brooks v. Mazurek*, Case No. 07-CV-3527 (DAB) (AJP), provide as follows:

***1. Changes in the Timing, Form or Requirement for Disclosures Under Rule 26(a)(1):***

The Parties have agreed to exchange initial disclosures by on or before July 20, 2007. Initial written discovery requests shall also be served by on or before July 20, 2007, with responses due 30 days after service of same.

***2. The Subjects on Which Discovery May Be Needed, When Discovery Should Be Completed, and Whether Discovery Should Be Conducted in Phases:***

The parties propose January 31, 2008 as an end date for fact discovery. The parties agree that initial expert disclosures shall be exchanged by on or before December 14, 2007; rebuttal disclosures shall be exchanged by on or before January 14, 2008; and February 29, 2008 shall be an end date for expert disclosure.

The parties agree that discovery should proceed on all allegations and defenses raised in the pleadings.

**3. *Changes to the Limitations on Discovery Imposed by the Federal Rules of Civil Procedure:***

The parties do not believe that any changes need to be made to the limitations imposed by the F.R.C.P.

The parties reserve their right to seek changes should the need arise.

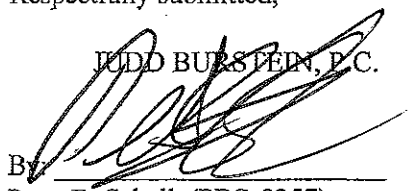
**4. *Any Other Orders That Should Be Entered By the Court Under Rule 26(c) or Under Rule 16(b) and (c):***

The parties do not believe that any changes need to be made to the requirements and limitations provided for by the F.R.C.P and the Local Rules, but reserve their rights to seek same if the need should arise. The parties do, however, agree that any dispositive motions shall be served no later than thirty (30) days after the close of expert discovery, and may be served earlier.

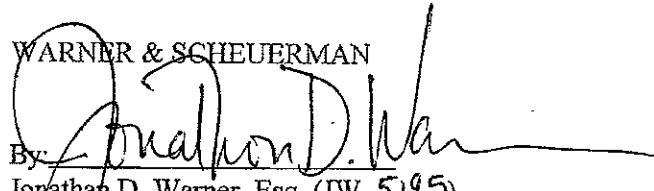
Dated: New York, New York  
July 3, 2007

Respectfully submitted,

JDD BURSTEIN, P.C.

By:   
Peter B. Schalk (PBS-8257)  
1790 Broadway, Suite 1501  
New York, New York 10019  
(212) 974-2400  
*Attorneys for Plaintiffs*

WARNER & SCHEUERMAN

By:   
Jonathan D. Warner, Esq. (JW-5195)  
6 West 18<sup>th</sup> Street, 10<sup>th</sup> Floor  
New York, NY 10011  
212-924-7111  
*Attorneys for Defendant David H. Brooks*